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Attorneys for Defendant  
KENY ALDUVI ROMERO LOPEZ

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,

v.

KENY ALDUVI ROMERO-LOPEZ,  
Defendant.

No. 21-mj-70903-MAG

STIPULATION AND ORDER TO  
CONTINUE STATUS HEARING AND  
EXCLUDE TIME FROM MARCH 14, 2022  
TO APRIL 14, 2022

Defendant Keny Alduvi Romero Lopez, by and through his Court-appointed counsel, Albert J. Boro, Jr., and Plaintiff United States of America, by and through its counsel, Assistant United States Attorneys Noah Stern and Benjamin Kleinman, hereby stipulate and agree that the status hearing re preliminary hearing or arraignment scheduled for March 14, 2022, at 10:00 a.m., be vacated and a new status hearing be scheduled for April 14, 2022, at 10:00 a.m. The parties further stipulate that time be excluded under the Speedy Trial Act from March 14, 2022 through April 14, 2022, and, with the consent of the defendant, there is good cause for extending the time limits for a preliminary hearing under Federal Rule of Criminal Procedure 5.1.

The Government has produced voluminous discovery in the case that Mr. Romero Lopez is in the process of reviewing. Also, the Government has obtained a warrant to search Mr. Romero Lopez's mobile phone, and discovery resulting from that search has not yet been produced to

Mr. Romero Lopez. The parties anticipate that reviewing the discovery in this case will be time-consuming. The parties previously discussed a possible resolution of the case, but no agreement was reached. The parties have begun discussing an alternative resolution of the case and require more time to determine if that possible resolution is viable. For these reasons, the parties request that the status hearing be vacated and a further status hearing be set for April 14, 2022, and the Government and counsel for the defendant agree that time be excluded under the Speedy Trial Act, and that the deadlines under Federal Rule of Criminal Procedure 5.1 be extended, so that defense counsel can continue to prepare, including reviewing the discovery already produced. The parties stipulate and agree that excluding time until April 14, 2022 will allow for the effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties further stipulate and agree that the ends of justice served by excluding the time from March 14, 2022 through April 14, 2022 from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

The parties further stipulate that, with the consent of the defendant, there is good cause for extending the time limits for a preliminary hearing under Federal Rule of Criminal Procedure 5.1 and for extending the 30-day time period for an indictment under the Speedy Trial Act. *See* Fed. R. Crim. P. 5.1; 18 U.S.C. § 3161(b).

IT IS SO STIPULATED:

Dated: March 10, 2022

/s/ Albert J. Boro, Jr.

ALBERT J. BORO, JR.  
Attorneys for Defendant  
KENY ALDUVI ROMERO LOPEZ

Dated: March 10, 2022

STEPHANIE M. HINDS  
ACTING UNITED STATES ATTORNEY

/s/ Benjamin Kleinman\*

BENJAMIN KLEINMAN  
Assistant United States Attorney

\* Signed with permission.

# ORDER

Based upon the facts set forth in the stipulation of the parties and for good cause shown, the Court vacates the status hearing scheduled for March 14, 2022, at 10:00 a.m., for defendant Keny Romero Lopez and schedules a status hearing for April 14, 2022, at 10:00 a.m. The Court finds that failing to exclude the time from March 14, 2022 through April 14, 2022 would unreasonably deny defense counsel and the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time from March 14, 2022 through April 14, 2022 from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. For the same reasons, the Court finds good cause for extending the time limits for a preliminary hearing under Federal Rule of Criminal Procedure 5.1 and for extending the 30-day time period for an indictment under the Speedy Trial Act. *See* Fed. R. Crim. P. 5.1; 18 U.S.C. § 3161. Therefore, and with the consent of the parties, IT IS HEREBY ORDERED that the time from March 14, 2022 through April 14, 2022 shall be excluded from computation under the Speedy Trial Act and Federal Rule of Criminal Procedure 5.1. 18 U.S.C. § 3161(h)(7)(A), (B)(iv); Fed. R. Crim. P. 5.1(d).

IT IS SO ORDERED.

Dated: March 10, 2022

